

REMARKS

As amended herein, claims 1-41 and 44-48 are pending in the present application. Applicants appreciate the Examiner's allowance of claims 1-36 and 44, and indication that claims 42 and 46-48 would be allowable if rewritten in independent form with the base and any intervening claims. In view of the foregoing amendments and following comments, Applicants respectfully request reconsideration and allowance of all pending claims.

Turning to the Office action, claim 37 stands rejected under 35 U.S.C. 112, second paragraph, as indefinite. In response, claim 37 is amended to properly identify the claim from which it depends. Accordingly, this ground of rejection should be withdrawn.

In addition, the Office action provisionally rejects claim 45 for non-statutory, obviousness-type double patenting in view of co-pending Application No. 09/613,439. A terminal disclaimer is submitted herewith to obviate this ground of rejection. Accordingly, claim 45, as well as claims 46-48 dependent directly or indirectly thereon, should be allowed.

Finally, the Office action rejects claims 38-41 in view of the prior art. In response, claim 38 is amended to incorporate the subject matter of claim 42, which the Examiner indicated was allowable. Accordingly, the prior art grounds of rejection should be withdrawn.

CONCLUSION

It is submitted that the present application is in good and proper form for allowance. A favorable action on the part of the Examiner is respectfully solicited.

If, in the opinion of the Examiner a telephone conference would expedite prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

MILLER, MATTHIAS & HULL

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By:

A handwritten signature in black ink, appearing to read "Brent E. Matthias", written over a horizontal line.

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